Case 05-64192 Doc 1 Filed 12/27/05 Entered 12/27/05 16:22:21 Desc Main Document Page 1 of 40

United States Bankruptcy C Northern District of Illinois							Voluntary Petition
Name of Debtor (if indiv Gordon, Essileana		t, First, Middle):		Name of	f Joint Debtor (Sp	oouse) (Last, Firs	st, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):  FKA Essileana Wiggins					er Names used by married, maiden		r in the last 8 years s):
Last four digits of Soc. Se	ec./Complete EI	N or other Tax ID	No. (if more than one, sta	te all) Last four	r digits of Soc. So	ec./Complete EII	N or other Tax ID No. (if more than one, state all
Street Address of Debtor 1443 S. 19th Ave. Maywood, IL	(No. & Street, C	City, and State):	ZIP Code		ddress of Joint D	ebtor (No. & Str	eet, City, and State):  ZIP Code
County of Residence or o	f the Principal I	Place of Business:	60153	County	of Residence or o	of the Principal P	lace of Business:
Cook	1					•	
Mailing Address of Debto	or (if different fi	rom street address)	:	Mailing	Address of Joint	Debtor (if differ	ent from street address):
			ZIP Code	:			ZIP Code
Location of Principal Asso (if different from street ad		Debtor	I	<b>!</b>			
Type of Debtor (Form of (Check one both (Check one of the both (Check one both (	ox) point Debtors) LLC and LLP) the of the above and provide the	(Check all  ☐ Health Care E ☐ Single Asset I in 11 U.S.C. § ☐ Railroad ☐ Stockbroker ☐ Commodity E ☐ Clearing Banl	Real Estate as define § 101 (51B) Broker	☐ Cha <sub>l</sub>	the pter 7	Petition is Filed apter 11   apter 12   apter 13   ature of Debts	y Code Under Which I (Check one box)  Chapter 15 Petition for Recognition of a Foreign Main Proceeding Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding  (Check one box)
			.C. § 501(c)(3)	Cons	sumer/Non-Busin	iess	Business
Filing Fee (Check one box)  ■ Full Filing Fee attached  □ Filing Fee to be paid in installments (Applicable to individuals only) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.  □ Filing Fee waiver requested (Applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.				tor Debt	tor is a small bust tor is not a small	business debtor	efined in 11 U.S.C. § 101(51D). as defined in 11 U.S.C. § 101(51D).  uidated debts owed to non-insiders
Statistical/Administrativ  ■ Debtor estimates that  □ Debtor estimates that, available for distributi	funds will be av after any exem	pt property is exclu			paid, there will b	e no funds	THIS SPACE IS FOR COURT USE ONLY
Estimated Number of Cre-							]
1- 50- 49 99 ■ □	199 9	00- 1000- 99 5,000	5001- 10,001- 10,000 25,000		50,001- OVEF 100,000 100,00		
Estimated Assets \$0 to \$50,001 \$50,000 \$100,0				\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million	
Estimated Debts  \$0 to \$50,001 \$50,000 \$100,0		000 \$1 million		\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million	

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(Official Form	1) (10/03)		FORM DI, Fage 2	
Voluntary		Name of Debtor(s):  Gordon, Essileana		
(This page mus	st be completed and filed in every case)	V (If th	:1 -h()	
T	Prior Bankruptcy Case Filed Within Last 8			
Location Where Filed:	Northern District of Illinois	Case Number: <b>05-31374</b>	Date Filed: <b>8/10/05</b>	
	nding Bankruptcy Case Filed by any Spouse, Partner, or	·		
Name of Debto - None -	or:	Case Number:	Date Filed:	
District:		Relationship:	Judge:	
	Exhibit A		hibit B	
forms 10K an pursuant to So and is request	leted if debtor is required to file periodic reports (e.g., and 10Q) with the Securities and Exchange Commission ection 13 or 15(d) of the Securities Exchange Act of 1934 ting relief under chapter 11.)  A is attached and made a part of this petition.	(To be completed if debtor is an individual whose debts are primarily consumer debts.)  I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.  I further certify that I delivered to the debtor the notice required by §342(b) of the Bankruptcy Code.		
		X /s/ Ernesto D. Borges, Jr.	December 27, 2005	
		Signature of Attorney for Debtor(s)	Date	
	T. 1114 G	Ernesto D. Borges, Jr.		
	Exhibit C		erning Debt Counseling l/Joint Debtor(s)	
	tor own or have possession of any property that poses or pose a threat of imminent and identifiable harm to public sty?	<ul> <li>I/we have received approved budget and credit counseling during the 180-day period preceding the filing of this petition.</li> </ul>		
☐ Yes, and ■ No	Exhibit C is attached and made a part of this petition.	☐ I/we request a waiver of the requirement to obtain budget and credit counseling prior to filing based on exigent circumstances.  (Must attach certification describing.)		
INO		·	ionig.)	
	Information Regarding the Debte	or (Check the Applicable Boxes)		
	Venue (Check an	y applicable box)		
•	Debtor has been domiciled or has had a residence, principal days immediately preceding the date of this petition or for			
	There is a bankruptcy case concerning debtor's affiliate, ge	eneral partner, or partnership pending	in this District.	
	Debtor is a debtor in a foreign proceeding and has its princ this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or the sought in this District.	in the United States but is a defendar	nt in an action or	
	Statement by a Debtor Who Resides Check all apple		7	
	Landlord has a judgment against the debtor for possession	of debtor's residence. (If box checked,	complete the following.)	
	(Name of landlord that obtained judgment)			
	(Address of landlord)			
	Debtor claims that under applicable nonbankruptcy law, th permitted to cure the entire monetary default that gave rise possession was entered, and			
	Debtor has included in this petition the deposit with the coafter the filing of the petition.	urt of any rent that would become due	e during the 30-day period	

(Official Form 1) (10/05)

# Voluntary Petition

(This page must be completed and filed in every case)

Name of Debtor(s):

Gordon, Essileana

## Signatures

### $Signature (s) \ of \ Debtor (s) \ (Individual/Joint)$

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by §342(b) of the Bankruptcy Code.

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

#### X /s/ Essileana Gordon

Signature of Debtor Essileana Gordon

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

December 27, 2005

Date

#### Signature of Attorney

### X /s/ Ernesto D. Borges, Jr.

Signature of Attorney for Debtor(s)

#### Ernesto D. Borges, Jr. 6189298

Printed Name of Attorney for Debtor(s)

#### The Law Offices of Ernesto D, Borges, Jr. P.C.

Firm Name

105 West Madison 23rd Floor Chicago, IL 60602

Address

### Email: EBorges105@aol.com

312/853-0200 Fax: 312/853-3130

Telephone Number

December 27, 2005

Date

# Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

#### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by §1515 of title 11 are attached.
- ☐ Pursuant to §1511 of title 11, United States Code, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

# Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

Address

#### Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person,or partner whose social security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

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Form 6-Summary (10/05)

# **United States Bankruptcy Court Northern District of Illinois**

In re	Essileana Gordon		Case No	
		Debtor	••	
			Chapter	13

# **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities."

			AMOUNTS SCHEDULED		
NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	0.00		
B - Personal Property	Yes	3	19,930.00		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	1		6,000.00	
E - Creditors Holding Unsecured Priority Claims	Yes	1		0.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	5		10,681.00	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	1			1,497.55
J - Current Expenditures of Individual Debtor(s)	Yes	1			1,137.55
Total Number of Sheets of ALL S	Schedules	16			
	Т	otal Assets	19,930.00		
			Total Liabilities	16,681.00	

Form 6-Summ2 (10/05)

# **United States Bankruptcy Court Northern District of Illinois**

In re	Essileana Gordon		Case No	
		Debtor	••	
			Chapter	13

# STATISTICAL SUMMARY OF CERTAIN LIABILITIES (28 U.S.C. § 159) [Individual Debtors Only]

Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	0.00
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	0.00
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E)	0.00
Student Loan Obligations (from Schedule F)	0.00
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	0.00
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	0.00
TOTAL	0.00

The foregoing information is for statistical purposes only under 28 U.S.C § 159.

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Form B6A (10/05)

In re	Essileana Gordon	Case No.	
-		Debtor	

## SCHEDULE A. REAL PROPERTY

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property

Nature of Debtor's Interest in Property

Nature of Debtor's Wife, Joint, or Community

Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption

Amount of Secured Claim

None

Sub-Total > **0.00** (Total of this page)

Total > **0.00** 

(Report also on Summary of Schedules)

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Form B6B (10/05)

In re	Essileana Gordon	Case No.	
_		Debtor	

# SCHEDULE B. PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." In providing the information requested in this schedule, do not include the name or address of a minor child. Simply state "a minor child."

	Type of Property	N O N E	Description and Location of Propert	-	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property without Deducting any Secured Claim or Exemption
1.	Cash on hand	X				
2.	Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.	X				
3.	Security deposits with public utilities, telephone companies, landlords, and others.	X				
4.	Household goods and furnishings, including audio, video, and computer equipment.	Mis	cellaneous used household goods		-	380.00
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	Mis	cellaneous books, tapes, CD's, etc.		-	20.00
6.	Wearing apparel.	Per	sonal Used Clothing		-	480.00
7.	Furs and jewelry.	Mis	cellaneous Costume Jewelry		-	75.00
8.	Firearms and sports, photographic, and other hobby equipment.	X				
9.	Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		m Life Insurance w/ Employer - no cash render value		-	0.00
10	Annuities. Itemize and name each issuer.	X				
				(Total o	Sub-Tota f this page)	al > <b>955.00</b>

**<sup>2</sup>** continuation sheets attached to the Schedule of Personal Property

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Form B6B (10/05)

In re	Essileana Gordon	Case No.	
			_

Debtor

# SCHEDULE B. PERSONAL PROPERTY

(Continuation Sheet)

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
11.	Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c); Rule 1007(b)).	X			
12.	Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	X			
13.	Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
14.	Interests in partnerships or joint ventures. Itemize.	X			
15.	Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
16.	Accounts receivable.	X			
17.	Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
18.	Other liquidated debts owing debtor including tax refunds. Give particulars.	X			
19.	Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
20.	Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
21.	Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
				Sub-Tota	al > <b>0.00</b>
			(To	otal of this page)	

Sheet <u>1</u> of <u>2</u> continuation sheets attached to the Schedule of Personal Property

Form B6B (10/05)

In re	Essileana Gordon	Case No

Debtor

# SCHEDULE B. PERSONAL PROPERTY

(Continuation Sheet)

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
22.	Patents, copyrights, and other intellectual property. Give particulars.	X			
23.	Licenses, franchises, and other general intangibles. Give particulars.	X			
24.	Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25.	Automobiles, trucks, trailers, and other vehicles and accessories.		2001 Pontiac Grand Am Se w/ more than 58k miles - lien held by GMAC		7,825.00
			2000 Lexus ES300 w/ more than 65k miles.	-	11,150.00
26.	Boats, motors, and accessories.	X			
27.	Aircraft and accessories.	X			
28.	Office equipment, furnishings, and supplies.	X			
29.	Machinery, fixtures, equipment, and supplies used in business.	X			
30.	Inventory.	X			
31.	Animals.	X			
32.	Crops - growing or harvested. Give particulars.	X			
33.	Farming equipment and implements.	X			
34.	Farm supplies, chemicals, and feed.	X			
35.	Other personal property of any kind not already listed. Itemize.	X			

Sub-Total > (Total of this page)

Total > 19,930.00

Sheet **2** of **2** continuation sheets attached to the Schedule of Personal Property

(Report also on Summary of Schedules)

18,975.00

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Form B6C (10/05)

In re	Essileana Gordon	Case No.	
-		, Debtor	

# SCHEDULE C. PROPERTY CLAIMED AS EXEMPT

Debtor elects the exemptions to which debtor is entitled under:	☐ Check if debtor claims a homestead exemption that exceeds
(Check one box)	\$125,000.
□ 11 U.S.C. §522(b)(2)	
■ 11 U.S.C. §522(b)(3)	

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
Household Goods and Furnishings Miscellaneous used household goods	735 ILCS 5/12-1001(b)	380.00	380.00
Books, Pictures and Other Art Objects; Collectible Miscellaneous books, tapes, CD's, etc.	<u>s</u> 735 ILCS 5/12-1001(b)	20.00	20.00
Wearing Apparel Personal Used Clothing	735 ILCS 5/12-1001(a)	480.00	480.00
<u>Furs and Jewelry</u> Miscellaneous Costume Jewelry	735 ILCS 5/12-1001(b)	75.00	75.00
Automobiles, Trucks, Trailers, and Other Vehicles 2000 Lexus ES300 w/ more than 65k miles.	735 ILCS 5/12-1001(c) 735 ILCS 5/12-1001(b)	1,200.00 1,500.00	11,150.00

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Form B6D

In re	Essileana Gordon	Ca	se No.
-		Debtor,	

# SCHEDULE D. CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C§112; Fed.R.Bankr.P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

— eneck this box if debtor has no creations			is secured claims to report on this semedure 2.					
CDEDITORIS NAME	C	Ηu	sband, Wife, Joint, or Community	CO	U	ПΩ	AMOUNT OF	
CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	C A M	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	N T I N G	THOULDAL	S	CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. xxxxxxxx7674			Lien on Vehicle	╹	T E D			
GMAC PO Box 217066 Auburn Hills, MI		-	2001 Pontiac Grand Am Se w/ more than 58k miles - lien held by GMAC		D			
	L		Value \$ 7,825.00	Ш			6,000.00	0.00
Account No.			Value \$ Value \$					
Account No.								
			Value \$					
continuation sheets attached	<b>!</b>			ubto			6,000.00	
			(Report on Summary of Sc		ota ule		6,000.00	

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Form B6E (10/05)

In re	Essileana Gordon	Case No	
_		Debtor ,	

### SCHEDULE E. CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C.§112; Fed.R.Bankr.P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether husband, wife, both of them or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community". If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotal" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotal" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. If applicable, also report this total on the Means Test form.

■ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.	
TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached she	eets.)
□ <b>Domestic support obligations</b> Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the e 11 U.S.C. § 507(a)(1).	
□ Extensions of credit in an involuntary case  Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).	ore the earlier
□ Wages, salaries, and commissions  Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions of independent sales representatives up to \$10,000* per person earned within 180 days immediately preceding the filing of the original the cessation of business, which ever occurred first, to the extent provided in 11 U.S.C. § 507 (a)(4).	wing to qualifying inal petition, or
☐ Contributions to employee benefit plans  Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).	l petition, or the
☐ Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$4,925* per farmer or fisherman, against the debtor, as provided in 11 U.S.C.	§ 507(a)(6).
□ <b>Deposits by individuals</b> Claims of individuals up to \$2,225* for deposits for the purchase, lease, or rental of property or services for personal, family, use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).	or household
☐ Taxes and certain other debts owed to governmental units  Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C § 507(a)(8)	
☐ Commitments to maintain the capital of an insured depository institution  Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution.	
☐ Claims for death or personal injury while debtor was intoxicated  Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).	from using

\*Amounts are subject to adjustment on April 1, 2007, and every three years thereafter with respect to cases commenced on or after the date of

continuation sheets attached

adjustment.

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Form B6F (10/05)

In re	Essileana Gordon	Case No.	
-		Debtor ,	

# SCHEDULE F. CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C.§112; Fed.R.Bankr.P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community maybe liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in more than one of these three

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME,	C	Нι	sband, Wife, Joint, or Community	_ co	U	D	
AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	C A M		ONTINGEN	LIQUI	DISPUTED	AMOUNT OF CLAIM
Account No. xxxx-xxxx-2200			2002	٦×	D A T E D		
Action Card PO Box 5159 Sioux Falls, SD 57117		-	Credit card or Credit Use		D		800.00
Account No. xxxxx0511		H	Utility Bills or Cellular Service	+			
AFNI, Inc. PO Box 3517 Bloomington, IL		-					900.00
Account No. xxxxxxx8810			2004 Membership/subscription		-		900.00
America Online 2 wells ave. Newton Center, MA 02459		-	monitor on production				
							100.00
Account No. 2082			8/2005 Payday Loan				
Americash Ioans 1117 S. 1st Ave. Maywood, IL 60153		-					
							300.00
4 continuation sheets attached		_	(Total of	Sub			2,100.00

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Form B6F - Cont. (10/05)

In re	Essileana Gordon		Case No.	
_		Debtor		

# SCHEDULE F. CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	CODEBTOR	Hu H W J C	IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
Account No. cgxxxxxxxx7438			2004 Credit card or Credit Use		Ė		
Arrow Financial 21031 Network Place Chicago, IL 60678		-	orealt dard of orealt osc				400.00
Account No. xxxx-xxxx-xxxx-8153			2001	T		T	
Aspire Visa PO box 23007 Ansonville, VA 23007		-	Credit card or Credit Use				
							1,000.00
Account No. xxxxxx0344  Asset Acceptance Corp. PO Box 2036 Warren, MI 48090		-	2005 Utility Bills or Cellular Service				200.00
Account No.			Credit card or Credit Use		$\vdash$		200.00
Bankfirst 2954 Delaware Ave Buffalo, NY 14217		-	Credit Card of Credit Ose				500.00
Account No. xxxx-xxxx-3144			Credit card or Credit Use				
Capital Management 726 Exchange St. Buffalo, NY 14210		-					200.00
Sheet no. 1 of 4 sheets attached to Schedule of		_		Subt	ota	ıl	
Creditors Holding Unsecured Nonpriority Claims			(Total of t	his	pag	ge)	2,300.00

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Form B6F - Cont. (10/05)

In re	Essileana Gordon		Case No.	
-		Debtor		

# SCHEDULE F. CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

CREDITOR'S NAME,	C	Нι	usband, Wife, Joint, or Community	C	U	[	7	
AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	CODEBTOR	C A H	CONSIDERATION FOR CLAIM. IF CLAIM	CONTINGEN		[ ] S F U T E E		AMOUNT OF CLAIM
Account No. xxxxxxxxxxx3377			Credit card or Credit Use	T	E D			
Captial One PO box 41003 Norfolk, VA 23541		_			D			500.00
Account No. xxx4372; xxxxx1803			2005	Τ	Т	T	1	
City of Berwyn 6401 W. 31st St. Berwyn, IL 60402		_	Fines (tickets)					90.00
Account No. xxx1179	╁	╁	Fines (tickets)	+	+	t	$\dagger$	
City of Chicago - Pkg. Bureau PO Box 88298 Chicago, IL 60680		_						75.00
Account No. xxxxxxxxxxxx3875			2002	T	T	t	1	
Comcast PO box 173585 Denver, CO 80217		_	Utility Bills or Cellular Service					300.00
Account No. xxxxxxxxxxx4923	T	T	Membership/subscription	T	十	t	7	
Dish Network 131 Tower Park, Ste. 100 Waterloo, IA		_						200.00
Sheet no. 2 of 4 sheets attached to Schedule of			•	Sub	tota	al	1	1 165 00
Creditors Holding Unsecured Nonpriority Claims			(Total of	this	pa:	ge`	١	1,165.00

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Form B6F - Cont. (10/05)

In re	Essileana Gordon	Case No	
_		Debtor	

# SCHEDULE F. CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)  Account No. xGHx2044	CODEBTOR	H W J C	CONSIDERATION FOR CLAIM. IF CLAIM	CONTINGENT	NLL QUL	DISPUTED	AM	OUNT OF CLAIM
Encore Receivable Mngmt, PO box 3330 Olathe, KS 66063		-	Credit Card or Credit Use		E D		_	
								400.00
Account No. xxxx8438  General Ave PO box 4115 Concord, CA 94524		-	2005 Credit card or Credit Use					
Account No. xxx8128	╁	-	2003					1,000.00
ICS 2160 1st Ave Oak Lawn, IL 60454		-	Medical or Dental services					300.00
Account No. xxxxxxxx0107  Loyola Hospital 2100 S. 1st Ave. Maywood, IL 60153		-	2002 Medical or Dental services					116.00
Account No. Axxxxxxxxxxxx1000  NCO Financial 507 Prudential Rd Horsham, PA 19044		-	2004 Credit card or Credit Use					300.00
Sheet no. <b>_3</b> of <b>_4</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims	•	1	(Total of t	Subt				2,116.00

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Form B6F - Cont. (10/05)

In re	Essileana Gordon	Case No	
_		Debtor	

# SCHEDULE F. CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)  Account No. xxxxxxxxxxxxxxx144  Northland Group PO Box 390846	C O D E B T O R	Hu H	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.  2003 Credit card or Credit Use	CONTINGENT	ΙQ	1	U T E	AMOUNT OF CLAIM
Minneapolis, MN 55439								2,000.00
Account No. xxxx490nage2  RMA 802 E Martin Rd North Augusta, SC 29841	-	-	2005 Medical or Dental services					100.00
Account No. xxxxxxxx4448  Sears PO box 182149 Columbus, OH 43218		_	2001 Credit card or Credit Use					300.00
Account No. xx6513  TCF Bank ACC International 919 Estes Ct. Schaumburg, IL 60193		_	Overdraft Account					600.00
Account No.								
Sheet no4 of _4 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims			(Total of	Sub this			)	3,000.00
			(Report on Summary of So		Γot			10,681.00

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Form B6G (10/05)

In re	Essileana Gordon		Case No.	
-		Debtor		

# SCHEDULE G. EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112; Fed.R. Bankr. P. 1007(m).

■ Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract Description of Contract or Lease and Nature of Debtor's Interest. State whether lease is for nonresidential real property. State contract number of any government contract. Case 05-64192 Doc 1 Filed 12/27/05 Entered 12/27/05 16:22:21 Desc Main Document Page 19 of 40

Form B6H (10/05)

In re	Essileana Gordon		Case No.	
-		Debtor		

## SCHEDULE H. CODEBTORS

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112; Fed. Bankr. P. 1007(m).

■ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR

NAME AND ADDRESS OF CREDITOR

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Form B6I (10/05)

In re	Essileana Gordon		Case No.	
		Debtor(s)		

# SCHEDULE I. CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

or not a joint petition is filed, ur	nust be completed in all cases filed by joint debtors and by a married nless the spouses are separated and a joint petition is not filed. Do not perfect the depth of DEPENDENTS OF DEBTO	ot state th	ne name of any min		
Debtor's Marital Status:	RELATIONSHIP:	AGE:	POUSE		
Single	None.				
Employment:	DEBTOR	ı	SPOUSE		
Occupation	Patient care tech				
Name of Employer	MacNeal Hospital				
How long employed	4 years				
Address of Employer	3249 S. Oak Park Ave. Berwyn, IL 60402				
INCOME: (Estimate of ave	rage monthly income)		DEBTOR		SPOUSE
	ges, salary, and commissions (Prorate if not paid monthly.)	\$ _	1,966.99	\$	0.00
2. Estimate monthly overtim	ne	\$ _	0.00	\$ _	0.00
3. SUBTOTAL		\$_	1,966.99	\$	0.00
4 LECCRAVROLL DEDIL	CTIONS				
4. LESS PAYROLL DEDU		¢	371.48	Ф	0.00
<ul><li>a. Payroll taxes and soo</li><li>b. Insurance</li></ul>	cial security	ф —	97.96	\$ <u></u>	0.00
c. Union dues		φ <u></u>	0.00	\$ <u>_</u>	0.00
d. Other (Specify):		φ <u></u> _	0.00	\$ <del>_</del>	0.00
u. Other (Speerry).		\$_	0.00	\$ <u></u>	0.00
5. SUBTOTAL OF PAYRO	OLL DEDUCTIONS	\$	469.44	\$	0.00
6. TOTAL NET MONTHLY	Y TAKE HOME PAY	\$	1,497.55	\$	0.00
7. Regular income from ope	ration of business or profession or farm. (Attach detailed statemen	nt) \$	0.00	\$	0.00
8. Income from real property		\$	0.00	\$	0.00
9. Interest and dividends		\$	0.00	\$	0.00
	or support payments payable to the debtor for the debtor's use	or		. –	
that of dependents listed		\$_	0.00	\$ _	0.00
11. Social security or other g	government assistance	¢	0.00	¢	0.00
(Specify):		ф_	0.00	\$_	0.00
12. Pension or retirement in	coma	ф <u>–</u>	0.00	Ф Ф	0.00
13. Other monthly income	Come	Ψ_	0.00	Ψ_	0.00
(Specify):		\$	0.00	\$	0.00
		\$	0.00	\$	0.00
14. SUBTOTAL OF LINES	7 THROUGH 13	\$_	0.00	\$	0.00
15. TOTAL MONTHLY IN	ICOME (Add amounts shown on lines 6 and 14)	\$_	1,497.55	\$	0.00
16. TOTAL COMBINED M	MONTHLY INCOME: \$ 1,497.55	(Re	port also on Sun	ımary (	of Schedules)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

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Form B6J (10/05)

In re	Essileana Gordon	Case No.	
		Debtor(s)	

# SCHEDULE J. CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family. Pro rate any payments

made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.	umiy. 1101a	c any payments
☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complexpenditures labeled "Spouse."	lete a separat	e schedule of
1. Rent or home mortgage payment (include lot rented for mobile home)	\$	350.00
a. Are real estate taxes included? Yes X No		
b. Is property insurance included? Yes X No		
2. Utilities: a. Electricity and heating fuel	\$	85.00
b. Water and sewer	\$	0.00
c. Telephone	\$	25.00
d. Other Cellular Account	\$	70.00
Home maintenance (repairs and upkeep)     Food	\$	240.55
5. Clothing	\$ 	40.00
6. Laundry and dry cleaning	\$	12.00
7. Medical and dental expenses	\$ <del></del>	22.00
8. Transportation (not including car payments)	\$	145.00
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	0.00
10. Charitable contributions	\$	0.00
11. Insurance (not deducted from wages or included in home mortgage payments)		
a. Homeowner's or renter's	\$	0.00
b. Life	\$	0.00
c. Health	\$	0.00
d. Auto	\$	93.00
e. Other  12. Taxes (not deducted from wages or included in home mortgage payments)	\$	0.00
	\$	0.00
(Specify) 13. Installment payments: (In chapter 11, 12 and 13 cases, do not list payments to be included in the	Ф	0.00
plan.)		
a. Auto	\$	0.00
b. Other	\$	0.00
c. Other	\$	0.00
d. Other	\$	0.00
14. Alimony, maintenance, and support paid to others	\$	0.00
15. Payments for support of additional dependents not living at your home	\$	0.00
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	0.00
17. Other Personal grooming, haircuts	\$	20.00
Other Auto maintenance and repairs	\$	35.00
18. TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)	\$	1,137.55
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document:		
	_	
20. STATEMENT OF MONTHLY NET INCOME		4 10= ==
a. Total monthly income from Line 16 of Schedule I	\$	1,497.55
b. Total monthly expenses from Line 18 above	\$	1,137.55
c. Monthly net income (a. minus b.)	\$	360.00

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Official Form 6-Decl. (10/05)

# **United States Bankruptcy Court Northern District of Illinois**

In re	Essileana Gordon			Case No.			
			Debtor(s)	Chapter	13		
	DECLARATION CONCERNING DEBTOR'S SCHEDULES						
	DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR						
	I declare under penalty of periury th	I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of					
	18 sheets [total shown on summary page plus 2], and that they are true and correct to the best of my						
	knowledge, information, and belief.						
Date	December 27, 2005	Signature	/s/ Essileana Gordon				
		C	Essileana Gordon				
			Debtor				

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

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Official Form 7 (10/05)

# United States Bankruptcy Court Northern District of Illinois

In re	Essileana Gordon		Case No.	
		Debtor(s)	Chapter	13

### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. Do not include the name or address of a minor child in this statement. Indicate payments, transfers and the like to minor children by stating "a minor child." See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 1. Income from employment or operation of business

None

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE
\$26,556.00 Employment income - estimated 2003
\$17,679.00 Employment income - estimated 2004
\$19,360.00 Employment income - 2005 year-to-date

## 2. Income other than from employment or operation of business

None

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

#### 3. Payments to creditors

None

Complete a. or b., as appropriate, and c.

a. *Individual or joint debtor(s) with primarily consumer debts*. List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$600. Indicate with an (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS DATES OF AMOUNT STILL
OF CREDITOR PAYMENTS AMOUNT PAID OWING

None

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$5,000. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT
DATES OF PAID OR
PAYMENTS/ VALUE OF AMOUNT STILL
NAME AND ADDRESS OF CREDITOR TRANSFERS TRANSFERS OWING

None

c. All debtors: List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND

AMOUNT STILL

RELATIONSHIP TO DEBTOR

DATE OF PAYMENT

AMOUNT PAID

OWING

### 4. Suits and administrative proceedings, executions, garnishments and attachments

None

a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT COURT OR AGENCY STATUS OR AND CASE NUMBER NATURE OF PROCEEDING AND LOCATION DISPOSITION

None b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately

preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE
BENEFIT PROPERTY WAS SEIZED DATE OF SEIZURE

DESCRIPTION AND VALUE OF

PROPERTY

#### 5. Repossessions, foreclosures and returns

None

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN

DESCRIPTION AND VALUE OF PROPERTY

#### 6. Assignments and receiverships

None

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DATE OF

NAME AND ADDRESS OF ASSIGNEE

ASSIGNMENT

TERMS OF ASSIGNMENT OR SETTLEMENT

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND LOCATION

NAME AND ADDRESS OF CUSTODIAN

OF COURT CASE TITLE & NUMBER DATE OF ORDER

DESCRIPTION AND VALUE OF

3

**PROPERTY** 

7. Gifts

None

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION RELATIONSHIP TO DEBTOR, IF ANY

DESCRIPTION AND DATE OF GIFT

VALUE OF GIFT

8. Losses

None

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY

DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS

DATE OF LOSS

## 9. Payments related to debt counseling or bankruptcy

None 

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within one year immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE The Law Offices of Ernesto D. Borges 105 W. Madison, Suite 2300 Chicago, IL 60602

DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR 2005

AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY None other than as stated on

2016(b).

**Money Management** 2005 \$50 for credit counseling certificate

10. Other transfers

None

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within two years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE. RELATIONSHIP TO DEBTOR

DATE

DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED

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None b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

NAME OF TRUST OR OTHER DEVICE

DATE(S) OF TRANSFER(S) AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR'S INTEREST IN PROPERTY

11. Closed financial accounts

None

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE

AMOUNT AND DATE OF SALE OR CLOSING

NAME AND ADDRESS OF INSTITUTION

12. Safe deposit boxes

None

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY

DESCRIPTION OF CONTENTS

DATE OF TRANSFER OR SURRENDER, IF ANY

13. Setoffs

None

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATE OF SETOFF

AMOUNT OF SETOFF

14. Property held for another person

None List all property owned by

List all property owned by another person that the debtor holds or controls.

DESCRIPTION AND VALUE OF PROPERTY

NAME AND ADDRESS OF OWNER PROPERTY LOCATION OF PROPERTY

15. Prior address of debtor

None

If the debtor has moved within **three years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS NAME USED DATES OF OCCUPANCY

16. Spouses and Former Spouses

None

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within **eight years** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

None

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

NAME AND ADDRESS OF DATE OF ENVIRONMENTAL SITE NAME AND ADDRESS GOVERNMENTAL UNIT NOTICE LAW

None b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous

Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

NAME AND ADDRESS OF DATE OF ENVIRONMENTAL SITE NAME AND ADDRESS GOVERNMENTAL UNIT NOTICE LAW

e c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT

DOCKET NUMBER

STATUS OR DISPOSITION

5

### 18. Nature, location and name of business

None

NAME

a. *If the debtor is an individual*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

LAST FOUR DIGITS OF SOC. SEC. NO./ COMPLETE EIN OR OTHER TAXPAYER

I.D. NO. ADDRESS NATURE OF BUSINESS ENDING DATES

None b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME ADDRESS

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Best Case Bankruptcy

**BEGINNING AND** 

# DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date	December 27, 2005	Signature	/s/ Essileana Gordon
			Essileana Gordon
			Debtor

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571

6

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nea	States	s banki	rupicy	Court
No	rthern	District	of Illino	ois

In re	Essileana Gordon		Case No.	
		Debtor(s)	Chapter	13
	DISCLOSURE OF COMPENS	ATION OF ATTOR	NEY FOR DE	EBTOR(S)
C	Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2 compensation paid to me within one year before the filing of e rendered on behalf of the debtor(s) in contemplation of o	of the petition in bankruptcy,	or agreed to be pai	d to me, for services rendered or to
	For legal services, I have agreed to accept		. \$	2,800.00
	Prior to the filing of this statement I have received		. \$	200.00
	Balance Due		. \$	2,600.00
2. \$	189.00 of the filing fee has been paid.			
3. T	The source of the compensation paid to me was:			
	■ Debtor □ Other (specify):			
4. T	The source of compensation to be paid to me is:			
	■ Debtor □ Other (specify):			
5. <b>I</b>	I have not agreed to share the above-disclosed compens	ation with any other person un	nless they are memb	bers and associates of my law firm.
[	☐ I have agreed to share the above-disclosed compensation copy of the agreement, together with a list of the names			
a b c	n return for the above-disclosed fee, I have agreed to rende . Analysis of the debtor's financial situation, and rendering . Preparation and filing of any petition, schedules, stateme . Representation of the debtor at the meeting of creditors a . [Other provisions as needed]	g advice to the debtor in deter- ent of affairs and plan which n	mining whether to a	file a petition in bankruptcy;
	Negotiations with secured creditors to re reaffirmation agreements and application 522(f)(2)(A) for avoidance of liens on house	s as needed; preparation		
7. B	By agreement with the debtor(s), the above-disclosed fee do Representation of the debtors in any dischany other adversary proceeding. Any appearing.	argeability actions, judic	ial lien avoidand	
	(	CERTIFICATION		
	certify that the foregoing is a complete statement of any ankruptcy proceeding.	agreement or arrangement for	payment to me for	r representation of the debtor(s) in
Dated:	: December 27, 2005	/s/ Ernesto D. Borg	es, Jr.	
		Ernesto D. Borges, The Law Offices of		nes Jr P.C
		105 West Madison	Linesto D, Dorg	yes, or. 1 .o.
		23rd Floor Chicago, IL 60602		
		312/853-0200 Fax:		
		EBorges105@aol.c	om	

02/03/04 rev.

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS

# RIGHTS AND RESPONSIBILITIES AGREEMENT BETWEEN **CHAPTER 13 DEBTORS AND THEIR ATTORNEYS** (Model Retention Agreement)

Chapter 13 gives debtors important rights, such as the right to keep property that could otherwise be lost through repossession or foreclosure—but Chapter 13 also puts burdens on debtors, such as the burden of making complete and truthful disclosures of their financial situation. It is important for debtors who file a Chapter 13 bankruptcy case to understand their rights and responsibilities in bankruptcy. In this connection, the advice of an attorney is often crucial. Debtors are entitled to expect certain services to be performed by their attorneys, but again, debtors have responsibilities to their attorneys also. In order to assure that debtors and their attorneys understand their rights and responsibilities in the Chapter 13 process, the judges of the Bankruptcy Court for the Northern District of Illinois have approved the following agreement, setting out the rights and responsibilities of both debtors in Chapter 13 and their attorneys. By signing this agreement, debtors and their attorneys accept these responsibilities.

# BEFORE THE CASE IS FILED

### THE DEBTOR AGREES TO:

- 1. Discuss with the attorney the debtor's objectives in filing the case.
- 2. Provide the attorney with full, accurate and timely information, financial and otherwise, including properly documented proof of income.

## THE ATTORNEY AGREES TO:

- 1. Personally counsel the debtor regarding the advisability of filing either a Chapter 13 or a Chapter 7 case, discuss both procedures (as well as non-bankruptcy options) with the debtor, and answer the debtor's questions.
- 2. Personally explain to the debtor that the attorney is being engaged to represent the debtor on all matters arising in the case, as required by Local Bankruptcy rule and explain how and when the attorney's fees and the trustee's fees are determined and paid.
- 3. Personally review with the debtor and sign the completed petition, plan, statements, and schedules, as well as all amendments thereto, whether filed with the petition or later. (The schedules may be initially prepared with the help of clerical or paralegal staff of the attorney's office, but personal attention of the attorney is required for the review and signing.)

- 4. Timely prepare and file the debtor's petition, plan, statements, and schedules.
- 5. Explain to the debtor how, when, and where to make all necessary payments, including both payments that must be made directly to creditors and payments that must be made to the Chapter 13 trustee, with particular attention to housing and vehicle payments.
- 6. Advise the debtor of the need to maintain appropriate insurance.

## AFTER THE CASE IS FILED

### THE DEBTOR AGREES TO:

- 1. Make the required payments to the trustee and to whatever creditors are being paid directly, or, if required payments cannot be made, to notify the attorney immediately.
- 2. Appear punctually at the meeting of creditors (also called the "341 meeting") with recent proof of income and a picture identification card. (If the identification card does not include the debtor's social security number, the debtor will also bring to the meeting a social security card.) The debtor must be present in time for check-in and when the case is called for the actual examination.
- 3. Notify the attorney of any change in the debtor's address or telephone number.
- 4. Inform the attorney of any wage garnishments or liens or levies on assets that occur or continue after the filing of the case.
- 5. Contact the attorney immediately if the debtor loses employment, has a significant change in income, or experiences any other significant change in financial situation (such as serious illness, lottery winnings, or an inheritance).
- 6. Notify the attorney if the debtor is sued or wishes to file a lawsuit (including divorce).
- 7. Inform the attorney if any tax refunds to which the debtor is entitled are seized or not received when due from the IRS or Illinois Department of Revenue.
- 8. Contact the attorney before buying, refinancing, or selling real property, and before entering into any loan agreement.

# THE ATTORNEY AGREES TO:

- 1. Advise the debtor of the requirement to attend the meeting of creditors, and notify the debtor of the date, time, and place of the meeting.
- 2. Inform the debtor that the debtor must be punctual and, in the case of a joint filing, that both spouses must appear at the same meeting.

- 3. Provide knowledgeable legal representation for the debtor at the meeting of creditors (in time for check-in and the actual examination) and, unless excused by the trustee, for the confirmation hearing.
- 4. If the attorney will be employing another attorney to attend the 341 meeting or any court hearing, personally explain to the debtor in advance, the role and identity of the other attorney and provide the other attorney with the file in sufficient time to review it and properly represent the debtor.
- 5. Timely submit to the Chapter 13 trustee properly documented proof of income for the debtor, including business reports for self-employed debtors.
- 6. Timely respond to objections to plan confirmation and, where necessary, prepare, file, and serve an amended plan.
- 7. Timely prepare, file, and serve any necessary amended statements and schedules and any change of address, in accordance with information provided by the debtor.
- 8. Monitor all incoming case information (including, but not limited to, Order Confirming Plan, Notice of Intent to Pay Claims, and 6-month status reports) for accuracy and completeness. Contact the trustee promptly regarding any discrepancies.
- 9. Be available to respond to the debtor's questions throughout the term of the plan.
- 10. Prepare, file, and serve timely modifications to the plan after confirmation, when necessary, including modifications to suspend, lower, or increase plan payments.
- 11. Prepare, file, and serve necessary motions to buy or sell property and to incur debt.
- 12. Object to improper or invalid claims.
- 13. Timely respond to the Chapter 13 trustee's motions to dismiss the case, such as for payment default, or unfeasibility, and to motions to increase the percentage payment to unsecured creditors.
- 14. Timely respond to motions for relief from stay.
- 15. Prepare, file, and serve all appropriate motions to avoid liens.
- 16. Provide any other legal services necessary for the administration of the case before the bankruptcy court.

# ALLOWANCE AND PAYMENT OF ATTORNEYS' FEES [Check one option.]

□ Option A: flat fee through confirmation

1a. Pre-confirmation services. Any attorney retained to represent a debtor in a Chapter 13 case is responsible for representing the debtor on all matters arising in the case, unless otherwise ordered by the court. For all of the services outlined above, required to be provided before confirmation of a plan, the attorney will be paid a fee of \$ N/A . In extraordinary circumstances, such as extended evidentiary hearings or appeals, the attorney may apply to the court for additional compensation for preconfirmation services. Any such application must be accompanied by an itemization of the services rendered, showing the date, the time expended, and the identity of the attorney performing the services. The debtor must be served with a copy of the application and notified of the right to appear in court to object.

1b. *Post-confirmation services*. Compensation for services required after confirmation will be in such amounts as are allowed by the court, on application accompanied by an itemization of the services rendered, showing the date, time, and the identity of the attorney performing the services. The debtor must be served with a copy of the application and notified that the debtor may appear in court to object.

■ Option B: flat fee through case closing

1. Any attorney retained to represent a debtor

in a Chapter 13 case is responsible for representing the debtor on all matters arising in the case unless otherwise ordered by the court. For all of the services outlined above, the attorney will be paid a fee of \$ 2,800.00 . In extraordinary circumstances, such as extended evidentiary hearings or appeals, the attorney may apply to the court for additional compensation for these services. Any such application must be accompanied by an itemization of the services rendered, showing the date, the time expended, and the identity of the attorney performing the services. The debtor must be served with a copy of the application and notified of the right to appear in court to object.

- 2. Early termination of the case. Fees payable under the provisions set out above are not refundable in the event that the case is dismissed before confirmation (Option A) or completion of plan payments (Option B), unless the dismissal is due to a failure by the attorney to comply with the duties set out in this agreement. If a dismissal is due to such a failure by the attorney, the court may order a refund of fees on motion by the debtor.
- 3. *Retainers*. The attorney may receive a retainer or other payment before filing the case, but may not receive fees directly from the debtor after the filing of the case. In any application for fees, whether or not requiring an itemization, the attorney shall disclose to the court any fees paid by the debtor prior to the case filing.

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- 4. *Improper conduct by the attorney*. If the debtor disputes the sufficiency or quality of the legal services provided or the amount of the fees charged by the attorney, the debtor may file an objection with the court and request a hearing.
- 5. *Improper conduct by the debtor*. If the attorney believes that the debtor is not complying with the debtor's responsibilities under this agreement or is otherwise not engaging in proper conduct, the attorney may apply for a court order allowing the attorney to withdraw from the case.
- 6. Discharge of the attorney. The debtor may discharge the attorney at any time.

Date:		
Total fee to be paid for attorney's services: \$ _ 2,800.00 (Do not sign if this line is blank.)		
Signed:		
/s/ Essileana Gordon	/s/ Ernesto D. Borges, Jr.	
Essileana Gordon	Ernesto D. Borges, Jr.	
	Attorney for Debtor(s)	
Debtor(s)		

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS

# NOTICE TO INDIVIDUAL CONSUMER DEBTOR UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

## 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <u>before</u> the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

# 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

## Chapter 7: Liquidation (\$220 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$274)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

# <u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$150 filing fee, \$39 administrative fee: Total fee \$189)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

#### **B 201** (10/05)

Ernesto D. Borges, Jr.

Printed Name of Attorney

# Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

## Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

# 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

## **Certificate of Attorney**

X /s/ Ernesto D. Borges, Jr.

Signature of Attorney

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

Address: 105 West Madison 23rd Floor Chicago, IL 60602 312/853-0200		
I (We), the debtor(s), affirm that I (we) have	Certificate of Debtor re received and read this notice.	
Essileana Gordon	X /s/ Essileana Gordon	December 27, 2005
Printed Name(s) of Debtor(s)	Signature of Debtor	Date
Case No. (if known)	X	
	Signature of Joint Debtor (if any	) Date

**December 27, 2005** 

Date

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# **United States Bankruptcy Court** Northern District of Illinois

In re	Essileana Gordon		Case No.	
		Debtor(s)	Chapter 13	
	VE	RIFICATION OF CREDITOR M	IATDIY	
	V E	RIFICATION OF CREDITOR W	IATKIA	
		Number of	Creditors:	26
	The above-named Debtor(s) (our) knowledge.	hereby verifies that the list of credit	fors is true and correct to th	e best of my
Date:	December 27, 2005	/s/ Essileana Gordon Essileana Gordon		
		Signature of Debtor		

Ernesto D. Borges, Jr.
The Law Offices of Ernesto D, Borges, Jr. P.C.
105 West Madison
23rd Floor
Chicago, IL 60602

Essileana Gordon 1443 S. 19th Ave. Maywood, IL 60153

Action Card PO Box 5159 Sioux Falls, SD 57117

AFNI, Inc. PO Box 3517 Bloomington, IL

America Online 2 wells ave. Newton Center, MA 02459

Americash loans 1117 S. 1st Ave. Maywood, IL 60153

Arrow Financial 21031 Network Place Chicago, IL 60678

Aspire Visa PO box 23007 Ansonville, VA 23007

Asset Acceptance Corp. PO Box 2036 Warren, MI 48090

Bankfirst 2954 Delaware Ave Buffalo, NY 14217

Capital Management 726 Exchange St. Buffalo, NY 14210

Captial One PO box 41003 Norfolk, VA 23541

City of Berwyn 6401 W. 31st St. Berwyn, IL 60402

City of Chicago - Pkg. Bureau PO Box 88298 Chicago, IL 60680

Comcast PO box 173585 Denver, CO 80217

Dish Network 131 Tower Park, Ste. 100 Waterloo, IA

Encore Receivable Mngmt, PO box 3330 Olathe, KS 66063

General Ave PO box 4115 Concord, CA 94524

GMAC PO Box 217066 Auburn Hills, MI

ICS 2160 1st Ave Oak Lawn, IL 60454

Loyola Hospital 2100 S. 1st Ave. Maywood, IL 60153

NCO Financial 507 Prudential Rd Horsham, PA 19044 Northland Group PO Box 390846 Minneapolis, MN 55439

RMA 802 E Martin Rd North Augusta, SC 29841

Sears PO box 182149 Columbus, OH 43218

TCF Bank
ACC International
919 Estes Ct.
Schaumburg, IL 60193